

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 60708

Sandra M. Sutton

7826 St. Gregory Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on May 26, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-7-312 (A)(2), 13-7-310A, failure to cease open dump conditions on residential property zoned DR 10.5 known as 7826 St. Gregory Drive, 21222.

On May 20, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on May 13, 2009 requesting removal of all junk, trash and debris from front and back yards. This Citation was issued on May 20, 2009. Photographs in the file show a large pile of renovation debris in the front yard of this row home, and large piles of junk, trash and debris in the rear yard, including old furniture. Bags of garbage are also visible in the front yard. This constitutes impermissible open dump conditions and violates County prohibitions against creating possible harborage for rats. A Citation was issued for similar violations in 2008.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected, with all junk, trash and debris removed, by June 10, 2009. If the property is not cleaned up by that date, the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that if the violations are not corrected, after June 10, 2009 the County may enter the property to remove all junk, trash, and debris, at Respondent's expense.

IT IS FURTHER ORDERED that the civil penalty and any expenses incurred by Baltimore County as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 29th day of May 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer